

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NATHEN BAKER,

Plaintiff,

v.

BELLEVUE MAYOR,

Defendant.

CASE NO. 2:23-CV-00996-LK

ORDER ADOPTING REPORT AND
RECOMMENDATION

Plaintiff Nathen Baker wishes to sue the Mayor of the City of Bellevue for unspecified violations of the Privacy Act. *See generally* Dkt. No. 1-1. He applied to proceed in forma pauperis (“IFP”). Dkt. No. 1. On July 7, 2023, United States Magistrate Judge S. Kate Vaughan directed Mr. Baker to file a revised, signed IFP application within 20 days. Dkt. No. 5 at 1. Judge Vaughan explained that Mr. Baker’s revised IFP application must include “complete and detailed financial information and, if he has no means of support, he must explain how he is able to meet basic monthly expenses, including food and shelter.” *Id.* She further warned that the Court would deny Mr. Baker IFP status and/or dismiss his case absent a revised application. *Id.* at 2.

Mr. Baker did not submit a revised IFP application. On August 4, 2023, Judge Vaughan accordingly recommended that the Court deny Mr. Baker's IFP application. Dkt. No. 7 at 1–2. Mr. Baker has not filed objections. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (the district court reviews findings and recommendations “*if objection is made*, but not otherwise” (emphasis original)).¹

Having reviewed Mr. Baker's IFP application, Judge Vaughan's Report and Recommendation, and the remaining record, the Court finds and ORDERS the following:

- (1) The Court ADOPTS Judge Vaughan's Report and Recommendation, Dkt. No. 7;
- (2) Mr. Baker's IFP application is DENIED, Dkt. No. 1;
- (3) Mr. Baker is directed to pay the full filing fee of \$402.00 within thirty (30) days of the date of this Order. If the filing fee is not paid, this case will be dismissed without prejudice;
- (4) the Clerk shall file the complaint only upon receipt of the filing fee. If no filing fee is paid within thirty (30) days of the date of this Order, the Clerk is directed to close the file; and
- (5) the Clerk is directed to send copies of this Order to Mr. Baker at his last known address and to Judge Vaughan.

Dated this 21st day of August, 2023.



Lauren King
United States District Judge

¹ Mr. Baker instead filed a premature Notice of Appeal. Dkt. No. 8; *see Demos v. United States Dist. Ct. of Tacoma Wash.*, No. C22-5354-RSM, 2022 WL 2342832, at *1 (W.D. Wash. June 28, 2022) (a district court may disregard a defective, premature notice of appeal from a non-appealable interlocutory order).